

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

N.E.M. (WEST INDIES) INSURANCE	)	
LIMITED,	)	
	)	
Plaintiff	)	
	)	
v.	)	CIVIL NO. 2002-0042
	)	
AHLEEN RAWLINS, SAMUEL	)	
RAWLINS, FIRST VIRGIN ISLANDS	)	
FEDERAL SAVINGS BANK, and	)	
MARKOE INSURANCE AGENCY, INC.,	)	
	)	
Defendants	)	
_____	)	

**ORDER**

THIS MATTER is before the Court on Defendants' Ahleen Rawlins and Samuel Rawlins Motion to Dismiss, docket item # 31. Defendants ask the Court to dismiss Plaintiff's Complaint on the grounds that Plaintiff's claims are barred by the statute of limitations, and out of deference to the principles of comity.

Upon consideration of the matter and in accordance with the accompanying memorandum opinion, the Court finds that it would be inappropriate to proceed with Plaintiff's claims for declaratory judgment when an action adjudicating the same issues between the same parties is currently pending in the Territorial Court of the Virgin Islands. Accordingly, it is hereby

**ORDERED** that Defendants' Ahleen Rawlins and Samuel Rawlins Motion to Dismiss is **GRANTED**. It is further

**ORDERED** that Plaintiff's Complaint shall be and is hereby **DISMISSED WITHOUT**

**PREJUDICE.** It is further

**ORDERED** that Civil No. 2002-0042 is **CLOSED** as to all parties.

**ENTER:**

**Dated:** March 19, 2004

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**RAYMOND L. FINCH**  
**CHIEF U.S. DISTRICT JUDGE**

**Attest:**

Wilfredo F. Morales  
Clerk of the Court

**By:** \_\_\_\_\_  
**Deputy Clerk**

cc: Honorable Jeffrey L. Resnick, U.S. Magistrate Judge  
Carol G. Hurst, Esq.  
Bruce Bennett, Esq.  
Lee J. Rohn, Esq.